IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 29TH NOVEMBER 2007 / 8TH AGRAHAYANA 1929

Con.Case(C).No. 186 of 2007(S)
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ARISING OUT OF THE JUDGEMENT IN WPC.17048/3006 Dated 16/11/2006
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PETITIONER/PETITIONER:
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GANGADHARAN NAIR,
AGED 82,
S/O.LATE PADMANABHAN PILLAI,
THOPPIL HOUSE, PUTHUPALLI LANE,
MEDICAL COLLEGE P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.V.N.ACHUTHA KURUP (SR.)
SRI.B.S.SWATHY KUMAR
SRI.G.SUDHEER

RESPONDENTS/RESPONDENTS 1 & 2 :
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1. SRI.MOHAMMAD BARI,
AGED 42,
(FATHER'S NAME NOT KNOWN TO THE PETITIONER)
CIRCLE INSPECTOR OF POLICE,
MEDICAL COLLEGE CIRCLE,
THIRUVANANTHAPURAM.

2. SRI.S.Y.SURESH,
AGED 32,
(FATHER'S NAME NOT KNOWN TO THE PETITIONER)
SUB INSPECTOR OF POLICE,
SREEKARIYAM POLICE STATION,
THIRUVANANTHAPURAM.

ADDL. 3. SRI.MADU,
S/O.APPU ASARI, AGED 40 YEARS,
KRISHNA VILASAM, SASTHAMKONATHU,
CHERUVAKKAL PAKUTHY, SREEKARIYAM P.O.,
THIRUVANANTHAPURAM.

(ADDL.3RD RESPONDENT IS IMPLEADED AS PER ORDER
DATED 23.2.2007 IN IA NO.124/2007)

R1 & R2 BY GOVERNMENT PLEADER MR.M.P.SREEKRISHNAN
BY ADV. SRI.M.BALAGOVINDAN
SRI.M.R.SASITH

THIS CONTEMPT CASE (CIVIL) HAVING BEEN FINALLY HEARD ON 29/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**H.L.DATTU, C.J. & K.M.JOSEPH, J.**

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**Cont. Case (C) No.186 of 2007**

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Dated, this the 29th day of November, 2007

**JUDGMENT**

**H.L.Dattu, C.J.**

Alleging that the respondents in this contempt petition have disobeyed the orders and directions issued by this Court in W.P.(C) No.17048 of 2006 dated 16th November, 2006, the complainant is before us.

2. The respondents have filed a detailed counter affidavit resisting the relief sought in the contempt petition.

3. Having gone through the allegations made in the contempt petition, the orders passed by this Court and the counter affidavit filed by the respondents, we are of the opinion that the respondents have not wilfully and deliberately disobeyed the orders and directions issued by this Court. In that view of the matter, we do not intend to take cognizance of this contempt petition. Accordingly the proceedings are dropped.

Ordered accordingly.

(**H.L.DATTU)**
**CHIEF JUSTICE**

**(K.M.JOSEPH)**
**JUDGE**

vns